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TO RUEHC/SECSTATE WASHDC 8883  
INFO RUEHZK/ECOWAS COLLECTIVE  
RUEHC/DEPT OF LABOR WASHDC

UNCLAS SECTION 01 OF 06 ACCRA 000132

SIPDIS

DOL/ILAB FOR LEYLA STROTKAMP, RACHEL RIGBY AND TINA MCCARTER  
STATE FOR DRL/ILCSR (SARAH MORGAN) AND G/TIP (LUIS CDEBACA)

E.O. 12958: N/A

TAGS: [PHUM](#) [ELAB](#) [EIND](#) [ETRD](#) [KTIP](#) [GH](#)

SUBJECT: GHANA: INFORMATION ON CHILD LABOR AND FORCED LABOR

¶1. Per reftel instructions, Post submits the following information on forced labor and exploitive child labor in the production of goods, as well as current information on the elimination of the worst forms of child labor (WFCL) in Ghana. POC for this report is Raymond Stephens (StephensRW@state.gov).

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Tasking 1/TVPRA  
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Post has no new information to report. Post is unaware of any additional goods that need to be included on the TVPRA list.

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Tasking 2/TDA  
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## 2A) Prevalence/Sectoral Distribution of Exploitive Child Labor

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¶1. Children in Ghana are reported to be involved in exploitive labor in the sectors of street vending, prostitution, kayayei (head porters), trokosi (cultural practice of ritual servitude), and street begging.

¶2. The GOG published the Weighted Data on Cocoa Labor Survey in Ghana (Scale-up survey from 2007/2008).

## 2B) Laws and Regulations

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¶1. There were no new laws or regulations enacted with regard to exploitive child labor in 2009.

¶2. Based on the standards provided in reftel instructions, Ghana's legal and regulatory framework is adequate for addressing exploitive child labor. It is important to note, however, that the penalties for violating child labor laws will deter some but not all violations, since the underlying causes of child labor, especially poverty, continue to exist. Moreover, the government's capacity to enforce child labor laws is generally limited in Ghana. Because many children work for relatives, their work is frequently not seen as criminal but rather an attempt to contribute to family income.

## 2C) Section I: Hazardous Child Labor & Section II: Forced Child Labor

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Note: The answers to questions about hazardous child labor apply equally to forced child labor.

¶1. Three sectors within The Ministry of Employment and Social Welfare (MESW), formerly the Ministry of Manpower Youth and Employment, are responsible for enforcing child labor laws: the Labor Department; the Department of Social Welfare; and the National Program for the Elimination of the Worst Forms of Child Labor in Cocoa (NPECLC).

The Human Trafficking Unit of the Ministry of Women's and Children's Affairs (MOWAC) also enforces child labor laws. The Human Trafficking Unit of the Ghana Police Service (GPS) works closely with other sectors of the GPS such as the Domestic Violence and Victim Support Unit (DOVVSU). Furthermore, local labor officers and social services subcommittees are responsible for conducting workplace inspections and for investigating allegations of violations in the Metropolitan, Municipal and District Assemblies.

¶2. A multi-sectoral National Steering Committee (NSC) on Child Labor was founded in 2000. The Child Labor Unit serves as its secretariat and meets three times a year to share information. The NSC is supported by eight subcommittees that cover technical issues, policy, education and social mobilization, education and skills training, cocoa, mining and quarrying, fisheries, and other child labor sectors.

Cocoa subcommittees of the NSC, chaired by the Ghana Cocoa Board (COCOBOD), meet regularly to share information relating to hazardous and forced child labor in the cocoa sector. The subcommittee met ten times in 2009. Furthermore, a National Partners Forum was founded in 2007 for the effective coordination of interventions towards the elimination of child labor. It meets three times a year. At the District Level, Child Protection/Labor Committees have been established in 93 cocoa producing districts under NPECLC to coordinate and share information on child labor interventions in their respective districts.

¶3. According to the MESW, the GOG did not receive any complaints of hazardous or forced child labor violations in 2009.

¶4. While the government funded salaries for 85 inspectors and some basic office functions, the GOG was unable to provide an exact

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budget. Inspectors complain that they lack sufficient office facilities, transportation, fuel and other necessities to carry out inspections.

¶5. There are currently 85 dedicated labor inspectors in Ghana. The government had plans to recruit additional inspectors; however, no new inspectors were hired in 2009. According to the Child Labor Unit of MESW, District Child Protection/Labor Committees have been established in 655 child-labor-endemic communities within 60 districts in Ghana. The purpose of these committees is to monitor, prevent and withdraw children from the WFCL in the cocoa and other sectors.

¶6. The government conducted 86 inspections. According to the MESW, Community Child Protection Committees (CPC) performed daily monitoring in 415 cocoa growing communities.

¶7. The GOG collaborated with International Labor Organization (ILO) on a 4-year USD 4.75 million DOL-funded Project of Support to the Ghana Timebound Program. Upon its completion in 2009, 6,094 children had been withdrawn from WFCL, 10,017 children were prevented from entering WFCL, and 11,079 children were enrolled in formal schools and vocational training institutions. In addition, the MESW states that there are currently 6,300 children being supported in public schools to keep them from engaging in WFCL.

¶8. None

¶9. N/A

¶10. N/A

¶11. N/A

¶12. N/A

¶13. N/A

¶14. International Cocoa Initiative (ICI) and Future Resources Development (FURDEV) organized training programs for police, prosecutors, Judges of the Appeals Court and the High Court, Magistrates of the Circuit Courts, and Judiciary staffs of some

regions. Seventy-two people were trained in 2009.

According to the MESW, 400 Labor Officers, traditional leaders, and Social Welfare Officers received training on child labor and existing child protection laws. The training taught the districts and communities how to recognize and combat the WFCL in the cocoa sector. In districts where training occurred, there was a noted increase in school enrollments and attendance. Furthermore, due to the increased knowledge base on child labor issues, there is more regular community-based child surveillance as well as the establishment of community rules to fight child trafficking.

Impact of the training includes the following:

- Institution of district and community structures to combat the worst forms of child labor in the cocoa sector.
- Increased school attendance and enrollment
- Continuous monitoring of children
- Increased knowledge-base on child labor issues
- Attitudinal change of community members through sensitization
- Establishment of community rules to fight child trafficking

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2D) Section I: Child Trafficking  
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1. Several agencies are dedicated to the enforcement of trafficking. The government has a Human Trafficking Secretariat within MOWAC, which is responsible for coordinating human trafficking issues in Ghana. It oversees policy formation, police review, implementation, advocacy, monitoring and evaluation of trafficking cases. The Secretariat also is responsible for ensuring proper data collection and conducts research into trafficking issues and activities.

On August 25, President John Atta Mills appointed members to the Human Trafficking Management Board (HTMB) because the previous board was disbanded when Mills' predecessor left office. The HTMB is an inter-sectoral board chaired by the Minister for Women and Children's Affairs and is comprised of police, immigration officials, health and education ministries and NGOs. In addition, the GOG asked representatives from the International Organization for Migration (IOM) and UNICEF to sit on the Board as official observers. The Board advises the Minister on trafficking policy and promotes strategies to prevent trafficking and the rehabilitation and re-integration of trafficking victims.

The Ghana Police Service (GPS) maintains an Anti-Human Trafficking

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Unit (AHTU) in the Criminal Investigation Division (CID). In 2009 the government established regional Anti-Human Trafficking Units in the Western, Central, and Ashanti Regions to manage cases more effectively at the regional and district levels. In November, the GPS opened the first anti-trafficking unit in Takoradi outside of the capital. In December, the GPS opened the anti-trafficking unit in Kumasi, Ghana's second largest city. The Cape Coast anti-trafficking unit opened on January 20, 2010.

As part of the International Cocoa Initiative's (ICI) community-based approach, Community Child Protection Committees (CCPCs), traditional rulers, and children were educated on child trafficking to enable them to identify trafficked children that appeared in their communities. They report any observations to the District Department of Social Welfare which collaborates with the police for a thorough investigation.

2. Exact figures are not available; however, the AHTU receives substantial funding from IOM and UNICEF. According to Police sources, resources are not sufficient. Investigators depend on police motor pool for transportation.

3. In 2009, the AHTU created a website, [www.ahtu.org](http://www.ahtu.org), to promote trafficking awareness. The AHTU also maintains a hotline with three telephone lines for reporting trafficking violations but does not maintain records about the number of calls received.

¶4. AHTU opened 21 investigations into cases of potential child-trafficking.

¶5. AHTU rescued 124 children, 20 of whom were returned to their home country.

¶6. Ghana Police made 21 arrests.

¶7. The cases are on-going.

¶8. Six people were convicted of trafficking. Another six cases are pending in court.

¶9. The minimum sentence is five years.

¶10. According to AHTU, actual time served ranges from 6 to 17 years.

¶11. According to AHTU, the average length of time taken to resolve a trafficking case is three months.

¶12. INTERPOL, the ILO, IOM, and UNICEF conducted extensive training for law enforcement personnel. In addition, district level officials received training that resulted in the implementation of district and community structures to combat the worst forms of child labor and to detect incidents of child trafficking. The training also led to the establishment of community rules to fight child labor and child trafficking.

¶13. Ghana did not experience armed conflict involving the use of child soldiers.

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2D) Section II: Commercial Sexual Exploitation of Children  
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¶1. The commercial sexual exploitation of children has been identified by the government as one of the sectors to be addressed under the National Plan of Action (NPA) for the elimination of all forms of child labor in Ghana. The Department of Social Welfare, under the direction of the MESW, is responsible for eliminating the commercial sexual exploitation of children. The Domestic Violence Victims Support Unit (DOVVSU), a division of the GPS, is also responsible for this sector. However, DOVVSU does not compile statistics specifically about the commercial sexual exploitation of children and the use of children in illicit activities. All records are for the population at-large.

The only statistic maintained by DOVVSU that encompasses children is defilement. In the first nine months of 2009, DOVVSU reported 858 cases of defilement.

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2D) Section 3: Use of Children in Illicit Activities  
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¶1. Post has no specific information about the use of children in illicit activities

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2E) Government Policies on Child Labor  
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¶1. Child Labor interventions were based on Part Five of the Children's Act (Act 560, 1998). In 2009, the government developed a National Plan of Action to Eliminate the WFCL in eight sectors including agriculture (including cocoa), fishing, and mining by ¶2015.

Some components of the NPA such as the National Program for the Elimination of the WFCL in Cocoa have been implemented. The key components to be addressed under the NPA include the following:

--Enforcement of laws;

--Broad-based sensitisation and mobilisation to promote attitudinal and behavioural change;  
--Protection of children's rights;  
--Pursuit of universal basic education and generalisation of post-basic education;  
--Withdrawal of children below 18 from the WFCL and protection of working children aged above 15 from exploitation and hazardous work;  
--Establishment of standard procedures and protocols for dealing with cases of child abuse and exploitation;  
--Development of institutional capacities at all levels to ensure the effective application of established procedures and protocols;  
and  
--Extension of social protection measures to provide safety nets for the most vulnerable households and children.

¶2. Ghana incorporated child labor in the Ghana Poverty Reduction Strategy (GPRS) I, GPRS II, and Medium Term Development planning (MTEP). The aim of the policy is to accelerate the growth of the economy so that Ghana can achieve middle income status with a measurable planning period.

The issue of exploitative child labor has influenced policies such as the Free Compulsory Universal Basic Education, School Feeding Program, free uniforms policy, and free registration of needy children on the National Health Insurance Scheme.

¶3. The Ghana Cocoa Board (COCOBOD), a government agency within the Ministry of Finance, contributed the equivalent of USD \$900,000 to eliminate the WFCL in cocoa.

¶4. The GOG provided office space at the MESW for the implementation of the NPECLC. The government also provided office space, personnel, and office equipment at the Labor Department for the Child Labor Unit, Employment Information Branch, and Labor Inspectorate Unit. In addition, the government provided logistical support including computers and accessories, pen drives, motor-bikes and bicycles, to partner districts, NGOs, and communities. Finally, the government provided the commitment and leadership in the development and implementation of the plans with the support of some development partners.

¶5. MESW is developing additional sector-specific programs using NPECLC as a model. In addition, more children are in school rather than working, and more people are aware of the dangers of child labor resulting in community and district actions against child labor. Finally, the sensitization policies have led to an increase in media reports of child labor and trafficking.

¶6. In August, President John Atta Mills appointed members to the Human Trafficking Management Board (HTMB) to replace the previous board that was disbanded when Mills' predecessor left office after the December 2008 election. It is an inter-sectoral board chaired by the Minister for Women and Children's Affairs and comprised of police, immigration officials, health and education ministries, and NGOs. In addition, the government has asked representatives from IOM and UNICEF to sit on the board as official observers. The Board advises the Minister on trafficking policy, and promotes strategies to prevent trafficking and the rehabilitation and re-integration of trafficking victims.

¶7. The Ghanaian Parliament passed a bill to amend the definition of trafficking included in the 2005 Human Trafficking Act. The amendment added the phrase "for the purpose of exploitation" to ensure that the Ghanaian definition of human trafficking is in accord with the definition in the Protocol of the United Nations Convention on Transnational Organized Crime.

In addition, the amendment ensures that a person such as an employment agent who for a fee recruits others for work either within or outside the country does not commit an offense if that person offers incentives as an inducement for employment. Parliament recognized that the intention of the Act is not to make offenders out of persons doing legitimate business recruiting persons for normal employment.

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## 2F) Social Programs to Eliminate or Prevent Child Labor

¶1. Ghana implemented the NPECLC, which aims to eliminate the worst forms of child labor in the cocoa sector by 2011. NPECLC has the following seven strategic objectives:

- Enhancement of the knowledge base about WFCL in cocoa
- Strengthening of the legal framework for dealing with WFCL
- Community mobilization for action against WFCL
- Development and implementation of interventions to eliminate WFCL in cocoa
- Promotion of universal basic education and human resource development
- Development and implementation of interventions that reduce the need for child labor in cocoa
- Development of institutional and technical capacities to address effectively child labor in the country.

¶2. Child labor is specifically referred to in the Ghana Poverty Reduction Strategy that affects all public policy development. Child Labor has also been included in the National Social Protection Strategy and its flagship program the Livelihood Empowerment Against Poverty (LEAP) program. Child Labor is both a criteria and condition for the selection of districts and households to benefit from programs that include an increase in Capitation Grant from GH3.00 to GH4.50, distribution of free school uniforms, the School Feeding Program, and detaching children's registration under the National Health Insurance Scheme (NHIS) from their parents' registration.

¶3. COCOBOD contributed the equivalent of USD \$900,000 to complement funding by donor partners and industry. In addition, in some cocoa growing districts, District Assemblies provided some funds (internally generated as well as from the consolidated fund) to activities to eliminate exploitative child labor.

¶4. The GOG provided office space at the MESW for the NPECLC program and office equipment and accessories to districts and communities.

In addition, all seven District Assemblies in cocoa growing districts supported interventions to eliminate exploitative child labor. The Assemblies accepted the community action plans as part of the district development plans. Some districts provided materials for to construct school buildings, teachers for newly-built schools, or other amenities determined by community members in their community action plans.

¶5. The Government's activities have placed child labor on the national agenda with child labor mainstreamed into its development policy and programs. Society at large has been sensitized to understand the negative consequences of child labor, and society mobilized to take action against the problem

School enrollment has increased as a result of the social programs to withdraw and mainstream children in school and the provision of certain social services including the Capitation Grants, School Feeding Program, and the distribution of free school uniforms and books.

In particular, NPECLC is an on-going program that ended its third phase of implementation in 2009. 2009 was an active year for eliminating the worst forms of child labor, particularly in the cocoa sector. As recognized best practice dictates, effectively combating child labor takes considerable time and as programs become more effective, better information on incidence can result in an increase in cases being reported. The government has programs in place, which if supported and continued, should eventually result in a sustainable decline in overall numbers of children engaged in the WFCL in multiple sectors. Ghana is well placed to capitalize on the investments and progress made in 2009.

Some of the key achievements in 2009 include the following:

- Completion, submission and acceptance of weighting report on the Cocoa Labor Survey in Ghana. This marks the end of the full cycle of cocoa certification.

--Remediation activities covered 36 additional Districts and 415 communities. Thirteen more NGOs were recruited to implement interventions to eliminate WFCL. In order to build their capacities to implement interventions, Districts and NGOs received funds and logistical support from the government, including 46 motorbikes, 1000 bicycles, computers and accessories.

--Currently about 6300 children are supported with basic school needs such as school uniforms, footwear, apprenticeship fees, tools and exercise books for the 2009/2010 academic year.

--Disseminated findings of the scale-up survey in 47 cocoa districts.

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--Developed a Communication Strategy and plan to disseminate the Hazardous Child Labor Activity Framework (HAF) for cocoa production.

--Briefing meeting on WFCL with traditional rulers of Ashanti Regional Houses of Chiefs

--Sensitized two strategic stakeholders - Metropolitan, Municipal and District Chief Executives (MMDCEs) from 47 cocoa growing districts. The MMDCEs at the end of the sensitization exercise, having realized the adverse implications of Child Labor on the economy of Ghana and the future of our children, issued a communiqué to fight the WFCL, and pledged to commit part of their internally generated funds to implement interventions to eliminate this social menace.

--Parliamentary Select Committee on Employment, Social Welfare and State Enterprises. The Committee also after the sensitization exercise pledged to join the crusade to fight WFCL, and have since undertaken a familiarization visit of three Districts.

-- Collaborations with Key Institutions:

-- Collaboration with 47 District Assemblies in the development and implementation of District Action Plans against Child Labor in Cocoa

-- Collaboration with Ghana Education Service (GES) to increase remediation activities.

--Collaboration with Cocoa Research Institute to introduce labor saving techniques for cocoa farmers.

--Capacity building for 480 District Actors (District Assemblies, traditional authorities, law enforcement agencies and media). Provided 50 computers with accessories to District Assemblies and Departments.

-- Development of a Facilitator Manual on best practices in remediation to improve upon coordination of various interventions at the community level.

-- Development of Community-based Child Labor Monitoring Systems in about 500 Cocoa growing districts.

--Development of draft Report on Rapid Assessment on Child Trafficking in Cocoa growing districts.

-- Monitoring visits to all 47 Districts and Municipal Assemblies.

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2G) Continual Progress:  
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Ghana continues to make progress in combating exploitive child labor. The eradication of child labor is now a factor in many major government social policies. The government is striving to ensure children are in school rather than working and has developed strategies to make school attendance an economically viable choice for families. The government is particularly committed to

eliminating the worst forms of child labor, especially in the cocoa sector, having now extended the child labor monitoring system into approximately 500 districts with plans to increase this to 1000 communities in 2010. Ghana has also increased the resources allocated to anti-trafficking efforts. By opening regional offices of the Anti-trafficking Unit, the police service now has a physical presence in areas that record high incidences of trafficking.

In 2009, the number of arrests, prosecutions, and convictions increased. During the reporting year, Ghana opened investigations in 21 child trafficking cases. According to the 2008 report, Ghana convicted only one person for trafficking, but three people were convicted in 2009 and six more cases are pending. The sentences given to the traffickers ranged from 6 to 17 years, often well above the mandatory five years. Ghana conducted 25 rescues of 124 children, including one group of 43 children. The Anti-Trafficking Unit works closely with their counterparts in neighboring countries and repatriated 20 children.